

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

FABIAN R. STRAUSS

Civil Action No. 6:17-CV-0235

versus

Judge Elizabeth E. Foote

UNIV. OF LA. SYSTEM BD. OF
OF SUPERVISORS, ET AL.

Magistrate Judge Carol B. Whitehurst

ORDER

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein [Record Document 19], determining that the findings are correct under the applicable law, and noting the absence of objections to the Report and Recommendation in the record;

IT IS ORDERED, ADJUDGED, AND DECREED that the Motion to Dismiss [Record Document 8] filed by defendants, The Board of Supervisors for the University of Louisiana System, University of Louisiana – Lafayette (“UL”), and Dr. Carol Landry, is **GRANTED IN PART AND DENIED IN PART**, as follows.

IT IS ORDERED, ADJUDGED AND DECREED that defendants’ motion to dismiss all claims against UL is GRANTED, and the foregoing claims are DISMISSED WITH PREJUDICE.

IT IS ORDERED, ADJUDGED AND DECREED that defendants' motion to dismiss all claims asserted against Dr. Landry in her individual capacity is GRANTED, and the foregoing claims are DISMISSED WITH PREJUDICE. The claims against Dr. Landry in her official capacity are not dismissed at this time.

IT IS ORDERED, ADJUDGED AND DECREED that defendants' motion to dismiss plaintiff's claim of failure to provide adequate housing accommodations prior to February 5, 2016 is GRANTED, and this claim is DISMISSED WITHOUT PREJUDICE as to all defendants. Plaintiff is granted leave to file an amended complaint by **November 16, 2017** that states a claim on which relief can be granted for failure to provide adequate housing accommodations.

IT IS ORDERED, ADJUDGED AND DECREED that defendants' motion to dismiss plaintiff's claims of failure to provide adequate academic accommodations prior to February 5, 2016 is DENIED.

Signed at Lafayette, Louisiana, this 26th day of October, 2017.

ELIZABETH E. FOOTE
UNITED STATES DISTRICT JUDGE

